

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As the below named inventors, We hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled THORACIC GRAFT AND DELIVERY CATHETER, the specification of which (check one)

\_\_\_ is attached hereto  
X was filed on December 15, 1994  
Application Serial No. 08/358,067

and was amended on (or amended through \_\_\_\_\_  
(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)      Priority Claimed

<u>N/A</u>	<u>Country</u>	<u>Day/Month/Year filed</u>	<u>Yes</u>	<u>No</u>
No.				

We hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

<u>N/A</u>	<u>Appln. Serial No.</u>	<u>Filing Date</u>	<u>Status</u>

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: JAMES W. PAUL, Registration No. 29,967, JOHN V. HANLEY, Registration No. 38,171, THOMAS H. MAJCHER, Registration No. 31,119, RICHARD A. BARDIN, Registration No. 20,365, and GILBERT G. KOVELMAN, Registration No. 19,552. Direct all telephone calls to

JOHN V. HANLEY, at telephone No. (310) 824-5555.

Address all correspondence to:

FULWIDER, PATTON, LEE & UTECHT  
10877 Wilshire Boulevard, 10th Floor  
Los Angeles, California 90024

Full name of first inventor: Steve G. Baker

Inventor's signature: Steve Baker

Date: 8 JUNE, 1995

Residence: 743 San Ramon  
Sunnyvale, California 94086

Citizenship: U.S.A.

Post Office Address: 743 San Ramon  
Sunnyvale, California 94096

Full name of second inventor: MICHAEL D. DAKE

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1995

Residence: 6555 Gerona Road  
Stanford, California 94305

Citizenship: U.S.A.

Post Office Address: 6555 Gerona Road  
Stanford, California 94305

Full name of third inventor: DAVID C. DILLOW

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1995

Residence: 22851 Longdown Road  
Cupertino, California 95041

Citizenship: U.S.A.

Post Office Address: 22851 Longdown Road  
Cupertino, California 95041

Full name of fourth inventor: ARNOLD ESCANO

Inventor's signature: Arnold Escano

Date: 06/09/95, 1995

Residence: 406 Los Encinos Avenue

San Jose, California 95134

Citizenship: U.S.A.

Post Office Address: 406 Los Encinos Avenue

San Jose, California 95134

JOHN V. HANLEY, at telephone No. (310) 824-5555.

Address all correspondence to:

FULWIDER, PATTON, LEE & UTECHT  
10877 Wilshire Boulevard, 10th Floor  
Los Angeles, California 90024

Full name of first inventor: Steve G. Baker

Inventor's signature: Steve Baker

Date: 8 JUNE, 1995

Residence: 743 San Ramon  
Sunnyvale, California 94086

Citizenship: U.S.A.

Post Office Address: 743 San Ramon  
Sunnyvale, California 94096

Full name of second inventor: MICHAEL D. DAKE

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1995

Residence: 6555 Geron Road  
Stanford, California 94305

Citizenship: U.S.A.

Post Office Address: 6555 Geron Road  
Stanford, California 94305

Full name of third inventor: DAVID C. DIXLOW

Inventor's signature: Dave C. Dixlow

Date: 6-27-95, 1995

Residence: 22851 Longdown Road  
Cupertino, California 95041

Citizenship: U.S.A.

Post Office Address: 22851 Longdown Road  
Cupertino, California 95041

JOHN V. HANLEY, at telephone No. (310) 824-5555.

Address all correspondence to:

FULWIDER, PATTON, LEE & UTECHT  
10877 Wilshire Boulevard, 10th Floor  
Los Angeles, California 90024

Full name of first inventor: Steve G. Baker

Inventor's signature: Steve Baker

Date: 8 JUNE, 1995

Residence: 743 San Ramon  
Sunnyvale, California 94086

Citizenship: U.S.A.

Post Office Address: 743 San Ramon  
Sunnyvale, California 94096

Full name of second inventor: MICHAEL D. DAKE

Inventor's signature: Michael D. Dake

Date: 10 August, 1995

Residence: 6555 Gerona Road  
Stanford, California 94305

Citizenship: U.S.A.

Post Office Address: 6555 Gerona Road  
Stanford, California 94305

Full name of third inventor: DAVID C. DILLOW

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_, 1995

Residence: 22851 Longdown Road  
Cupertino, California 95041

Citizenship: U.S.A.

Post Office Address: 22851 Longdown Road  
Cupertino, California 95041

## ASSIGNMENT

This Assignment is made by Steve G. Baker of Sunnyvale, California, Michael D. Dake of Stanford, California, David C. Dillow of Cupertino, California and Arnold Escano of San Jose, California to Endovascular Technologies, Inc. a California corporation, Assignee, having a place of business at 1360 O'Brien Drive, Menlo Park, CA 94025.

WHEREAS, Assignors have invented a new and useful THORACIC GRAFT AND DELIVERY CATHETER; and

WHEREAS, Assignors believe themselves to be original, first and joint inventors of the invention disclosed and claimed in said application for Letters Patent; and

WHEREAS, Assignee desires to acquire by formal, recordable assignment the entire right, title and interest in and to said invention, said application and any Letters Patent that may be granted for said invention in the United States and throughout the world;

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignors hereby sell, assign and transfer to Assignee, the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said

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invention in the United States and throughout the world, including the right to file foreign applications directly in the name of the Assignee and to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise.

Further, Assignors agree that, upon request and without further compensation, but at no expense to Assignors, they and their legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States and throughout the world for said invention, and for perfecting, recording or maintaining the title of Assignee, its successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States and throughout the world.

Assignors represent and warrant that they have not granted and will not grant to others any rights inconsistent with the rights granted herein.

Assignors authorize and request the Commissioner of Patents and Trademarks of the United States and of all foreign countries to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, continuation-in-part or reissue application, to



JOHN V. HANLEY, at telephone No. (310) 824-5555.

Address all correspondence to:

FULWIDER, PATTON, LEE & UTECHT  
10877 Wilshire Boulevard, 10th Floor  
Los Angeles, California 90024

Full name of first inventor: Steve G. Baker

Inventor's signature: Steve G. Baker

Date: 15 FEB, 1995

Residence: 743 San Ramon  
Sunnyvale, California 94086

Citizenship: U.S.A.

Post Office Address: 743 San Ramon  
Sunnyvale, California 94096

Full name of second inventor: MICHAEL D. DAKE

Inventor's signature: Michael D. Dake

Date: 2/24, 1995

Residence: 6555 Gerona Road  
Stanford, California 94305

Citizenship: U.S.A.

Post Office Address: 6555 Gerona Road  
Stanford, California 94305

Full name of third inventor: DAVID C. DILLOW

Inventor's signature: David C. Dillow

Date: FEB 15<sup>th</sup>, 1995

Residence: 22851 Longdown Road  
Cupertino, California 95041

Citizenship: U.S.A.

Post Office Address: 22851 Longdown Road  
Cupertino, California 95041

RECEIVED  
FEB 17 1995  
10:16:35

STATE OF CALIFORNIA

COUNTY OF San Mateo

On this 15<sup>th</sup> day of February in the year of 1995,  
before me, the undersigned, a Notary Public in and for said State, personally  
appeared STEVE B. BAKER, personally known to me  
(or proved on the basis of satisfactory evidence) to be the person(s) whose  
name(s) is/are subscribed to the within instrument and acknowledged to me  
that he/she/they executed the same in his/her/their authorized capacity(ies),  
and that by his/her/their signature(s) on the instrument the person(s), or the  
entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]  
Notary Public in and for said State.

This document is only a general form which may be proper for use in simple transactions and in no way acts, or is intended to act, as a substitute for the advice of an attorney. The printer does not make any warranty, either express or implied, as to the legal validity of any provision or the suitability of these forms in any specific transaction  
Cowdery's Form No. 10G — ACKNOWLEDGMENT — All Purpose — ( 1/91)

STATE OF CALIFORNIA

COUNTY OF San Mateo

On this 15<sup>th</sup> day of February in the year of 1995,  
before me, the undersigned, a Notary Public in and for said State, personally  
appeared DAVID C. DITTON, personally known to me  
(or proved on the basis of satisfactory evidence) to be the person(s) whose  
name(s) is/are subscribed to the within instrument and acknowledged to me  
that he/she/they executed the same in his/her/their authorized capacity(ies),  
and that by his/her/their signature(s) on the instrument the person(s), or the  
entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]  
Notary Public in and for said State.

This document is only a general form which may be proper for use in simple transactions and in no way acts, or is intended to act, as a substitute for the advice of an attorney. The printer does not make any warranty, either express or implied, as to the legal validity of any provision or the suitability of these forms in any specific transaction  
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# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

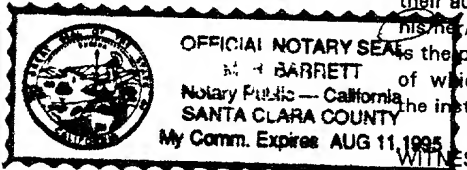
State of CALIFORNIA

County of SANTA CLARA

On 2-24-95 before me, M. H. BARRETT, Notary Public  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared NICHOLAS D. DAKF

☐ personally known to me -OR- ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument is the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

[Signature]  
 SIGNATURE OF NOTARY

## OPTIONAL SECTION CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- ☐ INDIVIDUAL  
☐ CORPORATE OFFICER(S)

- TITLE(S)  
☐ PARTNER(S) ☐ LIMITED  
☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER \_\_\_\_\_

## SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)  
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THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

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## OPTIONAL SECTION

TITLE OR TYPE OF DOCUMENT APPLICATION FOR PATENT

NUMBER OF PAGES 4 DATE OF DOCUMENT 12-15-94

SIGNER(S) OTHER THAN NAMED ABOVE STEVE BAKER, ARNOLD ESCANO & DAVID C. DILLON

REC-7378 FEB 3 1995

Full name of fourth inventor: ARNOLD ESCANO

Inventor's signature: Arnold Escano

Date: 02/15/95, 1995

Residence: 406 Los Encinos Avenue  
San Jose, California 95134

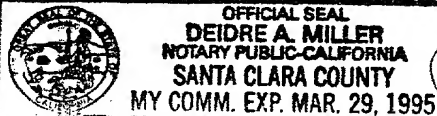
Citizenship: U.S.A.

Post Office Address: 406 Los Encinos Avenue  
San Jose, California 95134

STATE OF CALIFORNIA

COUNTY OF San Mateo

On this 15<sup>th</sup> day of February in the year of 1995,  
before me, the undersigned, a Notary Public in and for said State, personally  
appeared ARNOLD ESCANO, personally known to me  
(or proved on the basis of satisfactory evidence) to be the person(s) whose  
name(s) is/are subscribed to the within instrument and acknowledged to me  
that he/she/they executed the same in his/her/their authorized capacity(ies),  
and that by his/her/their signature(s) on the instrument the person(s), or the  
entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

[Signature]  
Notary Public in and for said State.

This document is only a general form which may be proper for use in simple transactions and in no way acts, or is intended to act, as a substitute for the advice of an attorney. The printer does not make any warranty, either express or implied, as to the legal validity of any provision or the suitability of these forms in any specific transaction.  
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